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THE ORIGINS OF KUWAIT'S NATIONAL ASSEMBLY

MICHAEL HERB



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About the Author

Michael Herb is Professor of Political Science at Georgia State University, Atlanta. He studies the Arab monarchies of the Gulf, the resource curse, and political development in monarchies. He is the author of *The Wages of Oil: Parliaments and Economic Development in Kuwait and the UAE* (Cornell, 2014), in which he explores the economic consequences of political representation — or its absence — in the richest oil states. He is also the author of *All in the Family: Absolutism, Revolution, and Democracy in the Middle Eastern Monarchies* (SUNY Press, 1999) in which he explains the resilience of the dynastic monarchies of the Gulf. His articles include 'No Representation without Taxation? Rents, Development and Democracy', published in 2005 in *Comparative Politics*. Dr Herb received his undergraduate degree from the University of Washington and his PhD from UCLA in 1997.

Abstract

Why does Kuwait have a powerful national parliament while the other Gulf monarchies do not? In this paper I explore several explanations for Kuwait's National Assembly, addressing works by Jill Crystal, Sean Yom and others. I argue that the Iraqi threat had a crucial role during two historical episodes: the writing of the constitution in 1962, and the restoration of the constitution after liberation from Iraqi occupation. In the conclusion, I explore the lessons of the Kuwaiti case for the prospects for reform in the other five oil-rich monarchies of the Gulf. This paper draws on research presented in my book *The Wages of Oil: Parliaments and Economic Development in Kuwait and the UAE* (2014).

Introduction

The greatest threat to monarchical absolutism in the Arab world is successful democratisation in other Arab states. When citizens see successful examples of democracy in neighbouring, and otherwise similar, countries, they become more demanding of democratic freedoms. But when monarchs can point to chaos elsewhere, their rule is more durable. In the wake of the Arab Spring, the Arab monarchs had no difficulty finding cautionary tales of the consequences of efforts to increase political participation. The Arab Spring led not to democracy but to chaos in Syria, Libya and Yemen, to strife between Islamists and the old regime in Egypt, and to deeper sectarian tensions in Bahrain. Tunisia's example, while mostly positive on its own terms, hardly outweighs the negative examples elsewhere.

In this context, Kuwait's National Assembly seems barely relevant to political change in the region. Indeed, even in Kuwait, in the wake of the Arab Spring, we have seen a reversal of some of the progress made before June 2012 towards greater parliamentary authority. The opposition boycott of the past two elections has rendered the National Assembly if not actually toothless, at least lacking members who want to use its teeth. The government has cracked down on dissent, using tools, such as the withdrawal of citizenship, more typical of the neighbouring Gulf absolutisms.

Despite this, Kuwait's parliamentary experience remains of central importance to the Gulf monarchies.[1] The current mood of reaction in the Arab world will pass, and when that happens citizens in the Gulf monarchies will look for models of expanded political participation; and Kuwait provides such a model. Thus it is worth considering the origins and prospects of Kuwait's National Assembly. It is the most powerful parliament amongst the Arab monarchies of the Gulf, and it is – for good or for ill – a potent example of how political participation might someday be expanded in the other monarchies. Not only is the Kuwaiti model the most likely alternative to the status quo, it is arguably the only alternative to the status quo that is achievable (and desirable) in the Gulf monarchies.

In this paper I consider the origins and character of Kuwait's National Assembly, and I reflect on its importance for further constitutional development in the Gulf monarchies. The paper is in three parts.

- First, I compare Kuwait's constitution with those of other Gulf monarchies, and discuss what makes it more liberal.
- Second, I trace out the historical origins of Kuwait's National Assembly, with a focus on Iraq, and with reference to the work of Jill Crystal and Sean Yom.
- Third, I reflect on the implications of Kuwait's liberal experiment for constitutional development in Kuwait and the rest of the Gulf.

[1] Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.

Kuwait's Constitution in Comparative Perspective

Kuwait's constitution has been, and remains, the most liberal of those of the Gulf monarchies.[2] This is a result of key provisions in the Kuwaiti constitution, the importance of which are often overlooked. Understanding the importance of these constitutional articles requires an understanding of the distinctive characteristics of monarchical political systems.

Progress towards democracy in the modern world is typically measured in terms of elections. The chief marker of a transition to democracy is a free and fair election of the chief office holders in the legislative and executive branches of government. Since almost all countries hold direct or indirect elections (of widely varying quality) for the holders of these posts, democratisation typically hinges on the quality of elections. Thus, to give an example, Tunisia made a transition to democracy following the Arab Spring not just because it held elections – it had held presidential and parliamentary elections under Ben Ali in 2009. Instead, Tunisia democratised when its elections actually mattered, when it held honest and competitive elections in 2011 and the winners took effective control of the government.

Two Gulf monarchies – Kuwait and Oman – hold reasonably free and fair elections to a national-level representative assembly.[3] Yet free and fair elections do not make Kuwait democratic, and the quality of its elections is not what makes its National Assembly much more powerful than, say, the *Majlis Oman*. What makes Kuwait's National Assembly more influential than any other Gulf representative institution is the provision in the 1962 constitution that gives a majority of the elected members of the National Assembly the power to remove confidence in ministers, and in the prime minister. While the National Assembly has never successfully removed confidence in a minister, a number of ministers have resigned in anticipation of losing a vote of confidence.

The other Gulf monarchies have nothing like the same power to remove confidence in ministers enjoyed by the Kuwaiti National Assembly. In Bahrain, a two-thirds majority of the lower house is required; in the remaining monarchies there is no provision for a vote of confidence.[4]

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[2] Michael Herb, *The Wages of Oil: Parliaments and Economic Development in Kuwait and the UAE* (Ithaca, NY: Cornell University Press, 2014), ch. 2.

[3] Herb, *Wages of Oil*, ch. 2. Sunil K. Vaidya, 'One Woman, Three Activists Get Elected in Oman's Shura Council', *Gulfnews.com*, 16 October 2011. Available at http://gulfnews.com/news/gulf/oman/one-woman-three-activists-get-elected-in-oman-s-shura-council-1.893059 (accessed 28 September 2012). Marc Valeri, 'Liberalization from Above: Political Reforms and Sultanism in Oman', in Abdulhadi Khalaf and Giacomo Luciani (eds), *Constitutional Reform and Political Participation in the Gulf* (Dubai: Gulf Research Center, 2006). Marc Valeri, *Oman: Politics and Society in the Qaboos State* (New York: Columbia University Press, 2009). Two of the six Gulf monarchies (Saudi Arabia and Qatar) do not even pretend to hold elections to a national representative institution (unless one were to count Qatar's municipal council as a national body). In the UAE the electorate is appointed by the seven rulers. Bahrain's government runs the elections in such a way as to ensure that the Shiʿa majority among the citizen population does not win a majority in the parliament.

[4] Herb, *Wages of Oil*, p. 47.

Why Kuwait?

Why is it that Kuwait, alone among the Gulf monarchies, has a powerful national assembly? Several answers to this question have been proposed. I consider six:

1. Jill Crystal, in her 1990 comparison of Kuwait and Qatar, attributes the differences between the two emirates to Kuwait's much stronger merchant class in the pre-oil period.[5]

2. Sean Yom compares Kuwait, Bahrain and Iran during the crucial periods when each monarchy constructed its ruling coalition. He argues that in Kuwait in the 1930s the ruler was weakened by internal dissension, but also lost support from Britain at a crucial moment. This led to the formation of a broader and more inclusive coalition than might otherwise have been the case.[6]

3. Rosemarie Said Zahlan observes that the Bahraini ruling family conquered Bahrain, but the al-Sabah were, more or less, elected to be the ruling family of Kuwait. This difference in origins may explain why it is that Kuwait today has a much more open political system than those of the other Gulf monarchies.[7]

4. A fourth argument concerns Iraq. In two crucial historical episodes – in 1961 and in 1990 – Iraq threatened to invade Kuwait, or actually did. This pushed the ruling family, it is argued, to seek the support of Kuwaiti citizens via the 1962 constitution.[8]

5. Some attribute the 1962 constitution in particular to the liberal tendencies of the emir of the time, Abdullah Salim al-Sabah.[9]

6. Finally, some attribute Kuwaiti exceptionalism to Kuwaiti national character. The argument, in its essence, is that there is something inherent in the culture and national character of Kuwait and Kuwaitis that results in more political participation and greater constraints on the ruling family.[10]

In evaluating these arguments, I use qualitative methods of two sorts. First, I compare Kuwait with other similar states, especially those in the Gulf. There are not many such

[5] Jill Crystal, *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar* (Cambridge: Cambridge University Press, 1990), ch. 1.

[6] Sean L. Yom, 'Oil, Coalitions, and Regime Durability: The Origins and Persistence of Popular Rentierism in Kuwait', *Studies in Comparative International Development* 46/2 (May 2011), pp. 217–41.

[7] Rosemarie Said Zahlan, *The Making of the Modern Gulf States: Kuwait, Bahrain, Qatar, the United Arab Emirates, and Oman* (Reading: Ithaca Press, 1998), p. 61.

[8] Shafeeq Ghabra, 'Al-Mu'assasat wa al-Tanmiya al-Siyasiyya al-'Arabiyya: Halat al-Kuwayt' (Arab Political Institutions and Development: The Case of Kuwait), *Al-Mustaqbal al-Arabi*, 229 (1998), pp. 30–45. Abdullah Khalifah Alshayeji, *Democratization in Kuwait: The National Assembly as a Strategy for Political Survival*, PhD dissertation, University of Texas at Austin (1988).

[9] Ahmad al-Baghdadi, *Al-Sheikh Abdallah al-Salim: Insaan...wa Rajul Dawla* (Sheikh Abdallah al-Salim: A Man and a Statesman) (Kuwait: Dar Qurtas, 1994).

[10] This style of argument is very hard to evaluate, and is not much found in the academic literature on the Gulf, due, in no small part, to the general unpopularity of arguments based on national character in modern political science. Nonetheless, I will make some reference to this argument in what follows.

states, and so this is very much a qualitative case study approach. In addition to comparison with other cases, I look inside the cases, using process tracing to consider which of these explanations best fits with (1) the timing of the emergence of Kuwait's 1962 constitution and (2) what people in Kuwait and elsewhere said were the main reasons behind the emergence of the 1962 constitution.[11] Because it is important to consider which arguments best fit with the timing of events in Kuwait's political history (and that of the other Gulf sheikhdoms), I organise the discussion chronologically.

Before proceeding, it is useful to make one additional observation. I am not arguing here that there is only one available path through which a Gulf monarchy might come to have a strong national assembly. Countries in the modern world have followed multiple, often very different, paths to democracy. While only one Gulf monarchy has set up a really influential parliamentary institution, it can reasonably be expected that there are multiple paths by which this might occur. In the language of political science methodology, this is a phenomenon characterised by equifinality. There are multiple historical paths getting to a similar result.

Origins of the Ruling Families

It is widely said in Kuwait that the al-Sabah family came to power via election, or something akin to an election. The Najdi clans that founded the country came together, it is said, and selected one family from amongst their number to rule. That original selection limited and constrained the power of the ruling family, and that constraint takes the modern form of the National Assembly.

The argument is supported by the contrasting experience of some (but not all) other Gulf ruling families. The al-Khalifa of Bahrain, who are genealogically closely related to the al-Sabah, came to power via conquest. Arguably they have ruled as conquerors – of the Shiʿa at least – ever since. The al-Saud also built their kingdom via conquest, putting together the various pieces of the kingdom from 1902 to 1934.

But other ruling families did not conquer their realms. Notably, the al-Nahyan of Abu Dhabi appear to have emerged much more via consensus than via conquest, and the same may be said of the al-Maktoum of Dubai. The al-Thani of Qatar too emerged as a prominent family.[12] In short, the absolutist regimes in the Gulf today came to power via both conquest and consensus, and thus Kuwait's more consensual history does not provide a strong explanation for its later exceptionalism.

[11] Andrew Bennett and Jeffrey T. Checkel, 'Process Tracing: From Philosophical Roots to Best Practices', in Andrew Bennett and Jeffrey T. Checkel (eds), *Process Tracing: From Metaphor to Analytic Tool* (Cambridge and New York: Cambridge University Press, 2014) pp. 3-38.
[12] Herb, *Wages of Oil*, pp. 69–71.

The Pre-Oil Period in the Early Twentieth Century

Jill Crystal, in her seminal 1990 work on Kuwait and Qatar, argues that the two emirates are distinguished by the respective roles of their merchant classes in their politics and societies. In Kuwait, the merchant class has historically been strong and independent of the ruling family. In Qatar, by contrast, the merchant class has been small, weak and dependent. When oil came along, the merchants of Kuwait were able to translate their historical position into a privileged one in society and in politics.[13] In a later article, Crystal, with al-Shayeji, argues that the position of the merchants in Kuwaiti society prompted the al-Sabah to put in place a powerful national assembly in order to counterbalance the influence of the merchants.[14]

Sean Yom sets out a variant on this argument. He focuses on the timing of the creation of the ruling coalition in Kuwait, and points out that the ruler, in the 1930s, was relatively weak: he faced a major challenge from below (from the merchants) at the same time that the British partially withdrew their support. The result was negotiation, and a durable coalition built on an alliance between the ruling family and the merchant class.[15]

There are two strategies for further exploration of these arguments. One is to broaden the cases to include other, reasonably similar cases in which the logic might apply. The obvious cases are the other Gulf sheikhdoms: Bahrain, Abu Dhabi, Dubai and the smaller UAE emirates, along with Oman. The second strategy is to look for implications of the argument in the timing of periods of liberalisation and absolutism in Kuwait. In particular, is there evidence that the 1962 constitution was motivated by al-Sabah concerns with the place of the merchant elite or, alternatively, that the merchant elite simply forced the National Assembly on the al-Sabah?

I begin by comparing Kuwait to the other Gulf sheikhdoms. Did other Gulf sheikhdoms have merchant classes as strong as that of Kuwait? John Lorimer's *Gazetteer of the Persian Gulf* is an excellent source for comparing the various Gulf sheikhdoms in the pre-oil period: it covers all of the sheikhdoms in one period of time – in the middle of the first decade of the twentieth century – and it provides comparable data across all of them.[16]

One good measure of the vibrancy of the trading economies of the different sheikhdoms (and thus, by extension, the vibrancy of their trading classes) is the frequency of steamer visits. Steamers, in this period, were not the only way to move goods, but they were one of the most modern and efficient methods. Steamers did not call at Doha or Abu Dhabi. In the early twentieth century these towns relied on pearling, not trade. Steamers did call, however, at Kuwait, Dubai and Manama, and with roughly similar frequency (65, 34 and 50 visits to, respectively, Manama, Kuwait and Dubai).[17] These were the three major trading

[13] Crystal, *Oil and Politics*.

[14] Jill Crystal and Abdallah al-Shayeji, 'The Pro-Democratic Agenda in Kuwait: Structures and Context', in Rex Brynen, Bahgat Korany and Paul Noble (eds), *Political Liberalization and Democratization in the Arab World: Comparative Experiences* (Boulder, CO: Lynne Rienner, 1998), pp. 101-126.

[15] Yom, 'Popular Rentierism in Kuwait'.

[16] J. G. Lorimer, *Gazetteer of the Persian Gulf, Oman, and Central Arabia. Vol. II A: Geographical and Statistical* (Calcutta: Superintendent of Government Printing, 1908).

[17] Ibid., p. 246. J. G. Lorimer, *Gazetteer of the Persian Gulf, Oman, and Central Arabia. Vol. II B: Geographical and Statistical* (Calcutta: Superintendent of Government Printing, 1908), pp. 1058, 1187, 1440.

ports among the Arab sheikhdoms of the Gulf, and all three had sizeable merchant classes.[18] These are also the three states, not coincidentally, that experienced movements, with merchant participation, to establish legislative assemblies in the late 1930s. Thus a different set of cases – that is, expanding the cases beyond Kuwait and Qatar – leads to a different result: if Kuwait has more political participation because of its merchant class, then Dubai and Manama ought also to have more political participation. Instead, it is Kuwait, and Kuwait alone in the Gulf, that today has a strong parliament. When Crystal's comparison is broadened out from Kuwait and Qatar, the role of merchants becomes much less distinctive in Kuwait. Manama and Dubai also had thriving trading economies, with many merchants. It is hard to attribute Kuwaiti exceptionalism to simply having a merchant class.

I have assumed, thus far, that the important factor is the relative size of the merchant class. It is possible, however, that Kuwait's merchant class differed in other ways from those of Dubai, Manama and Muscat, in ways that gave it more leverage against the ruling family. A comparison with the merchant class of Muscat provides a possible clue: Muscati merchants were almost all of Indian origin, not Arab.[19] This weakened the merchant class politically because it had fewer links to the rest of society. In Kuwait, by contrast, the merchant class was almost entirely Arab, and drawn largely from the Najdi families that founded Kuwait, with the al-Sabah, in the eighteenth century. The merchant class of Bahrain was mostly Arab, with some Indians. The merchant class of Dubai was split: many merchant families hailed from the Bani Yas, the same tribal clan as the ruling al-Maktoum family (as well as the related al-Nahyan ruling family of Abu Dhabi). But others were of Persian origin and, especially in the 1950s, there was tension between Arab and Persian merchants, with the ruler sometimes thought to favour Persians over Arabs.[20] In the end, I do not think that the ethnic background of Kuwait's merchant class differentiates it enough from those of its Gulf neighbours to explain Kuwait's later parliamentary history: that said, were the argument to be made, this would be a good place to start.[21]

Timing

If the size and influence of the Kuwaiti merchant class explains the emergence of a strong national assembly in Kuwait, we would not expect to see long periods of ruling family ascendance in Kuwaiti politics. Lorimer, however, provides evidence that the Kuwaiti merchant

[18] Muscat was also a major port, especially for the trade in dates, and had more steamer visits than any of the smaller emirates. At the north end of the Gulf, Basra and Muhammerah too were busy ports serving Iraq and Iran.

[19] Mark Speece, 'Aspects of Economic Dualism in Oman, 1830–1930', *International Journal of Middle East Studies* 21/4 (1 November 1989), pp. 503–7.

[20] Saleh Hmad al-Sagri, *Britain and the United Arab Emirates, 1820–1956: A Documentary Study*, PhD dissertation, University of Kent at Canterbury (1988). Fatma al-Sayegh, 'Merchants' Role in a Changing Society: The Case of Dubai, 1900–90', *Middle Eastern Studies* 34/1 (January 1998), pp. 87–102 at p. 98. Christopher M. Davidson, *Dubai: The Vulnerability of Success* (New York: Columbia University Press, 2008), pp. 71–6.

[21] While I do not find this argument convincing, and while it is not mentioned much (or perhaps at all) in the existing literature on this issue, I do think in qualitative research that it is important to be straightforward about possible counter-arguments. This is a counter-argument that I find, if not convincing, at least interesting and worth pointing out.

class was not able to prevent ruling family absolutism even in the earliest years of the twentieth century. He writes of Kuwait that 'Mubarak's[22] rule is personal and absolute… On the whole, it may be said that in the town he exacts absolute submission and in the country is content with general loyalty and obedience.'[23]

The reason for the absolutism of Mubarak owes a great deal to an institutional innovation. Before he came to power the al-Sabah relied, it is said, on the contributions of merchants for funds. Mubarak built a customs house and no longer needed to ask for merchant donations – he could instead simply levy taxes.[24] This made possible his autocracy, along with other sources of revenue derived from date plantations in Iraq and pearling. The other Gulf sheikhdoms did not have much in the way of real constraints on the ruling family, but nonetheless the tone of Lorimer's discussions of the nature of rule in the other sheikhdoms suggests that Mubarak's rule was among the more absolute.[25]

This does not square very well with two of the proposed explanations for Kuwaiti exceptionalism. If national character is determinative, why did it operate before Mubarak came to power, but not under his rule? If the size of the merchant class is determinative, the same question can be asked. Why does merchant predominance seem to have been built on a specific taxation regime that disappeared at the turn of the century, not to return?

The *Majlis* Movements of 1938

In 1938, merchants and others, in Kuwait, Dubai and Bahrain, demanded that the rulers set up legislative councils that would give citizens (and especially the merchant elite) a voice in how the sheikhdoms were governed. Can we find, in this period, an explanation for Kuwaiti exceptionalism today?

These movements – often known as *majlis* movements, given that they sought to set up legislative councils – emerged in Bahrain, Kuwait and Dubai. These, not coincidentally, were the three states with substantial trade economies and Arab merchant classes. *Majlis* movements did not emerge in Doha or Abu Dhabi, two sheikhdoms that relied on pearling and not trade, and thus had modest merchant classes (as Jill Crystal demonstrates, for the cases of Kuwait and Qatar, in her 1990 study). The *majlis* movements succeeded, at least for a period, in Kuwait and Dubai. In Bahrain, due to British opposition, no legislative council was formed. Four actors had a role in the emergence of the legislative councils: the ruler, the rest of the ruling family, the British and the merchants.

In Bahrain, merchants (initially with help from the crown prince) sought to force the ruler to open a legislative council, but the British resisted. This was not too surprising, as the British had a much more central role in governing Bahrain than Dubai or Kuwait: the challenge

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22 Mubarak al-Sabah, the seventh ruler of Kuwait.

23 Lorimer, *Gazetteer. Vol. II A,* pp. 1058, 1074–5.

24 Frederick F. Anscombe, *The Ottoman Gulf: The Creation of Kuwait, Saudi Arabia, and Qatar* (New York: Columbia University Press, 1997), p. 114. Abd al-Aziz al-Rushayd, *Tarikh al-Kuwayt* (History of Kuwait), Tabʿa Munqaha (corrected edition) (author's name is spelled 'Rashid' in library catalogues) (Beirut: Dar Maktabat al-Hayat, 1978), p. 90. Lorimer, *Gazetteer. Vol. II A,* p. 1076.

25 Herb, *Wages of Oil*, pp. 76–7.

to the ruler's authority in Bahrain was also very much a challenge to the authority of the British Resident. As a result of British opposition, the movement made little headway and a legislative council did not emerge in Bahrain in 1938.[26]

In Dubai, by contrast, the British had a more ambivalent attitude towards the *majlis* movement. The challenge mounted by dissident members of the ruling family, and by the merchants (many of whom were also members of the al-Maktoum's tribal clan), succeeded in setting up a legislative council and taking over many of the powers of the ruler. This lasted for some months, until the ruler suppressed the council and drove several of its key supporters into exile. The British, in the end, came round to the ruler's side.[27]

In Kuwait, the merchants and most members of the ruling family initially supported the *majlis* movement, and so too did the British agent. The ruler, facing this formidable coalition, had little choice but to acquiesce. The coalition, however, did not endure. The British soon rethought their support of the Legislative Council, especially when it, like its counterpart in Dubai, started to usurp the rulers' control of the oil revenues.[28] This opened the way for dissident members of the ruling family to move against it. The ruling family helped the ruler shut down the Council in 1939, and in return took over most of the posts in the nascent bureaucratic state. Before 1938, members of the ruling family had held very few positions of responsibility. After 1939, they held most of them. In short, the ruling family formed itself into a governing institution in 1939, and set an example that would then be followed by other dynastic monarchies in the Arab states of the Gulf.[29]

How, then does this help to explain Kuwaiti exceptionalism? The problem with focusing on 1938 - 1939 as a crucial period in the development of restraints on the ruling family is that it did not end with a constrained ruling family. It ended with a ruling family absolutism of a new and different sort, one then imitated by other ruling families in the Gulf. Ahmad al-Khatib in his memoirs wrote that:

> None of the members of the al-Sabah, except rarely, received any [positions as heads of] government departments before the events that led to the dissolution of the Legislative Council in 1939, and after these events Kuwait came to be ruled directly by the Emir and some members of the ruling family in an absolutist style, and they began to behave according to a new mentality that did not differ from the mentality of princes of districts that arrive in power 'by the sword.'[30]

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[26] Fuad I. Khuri, *Tribe and State in Bahrain: The Transformation of Social and Political Authority in an Arab State* (Chicago: University of Chicago Press, 1980), p. 197. Mohamed al-Rumaihi, 'Harakat 1938 al-Islahiyya fi al-Kuwayt wa al-Bahrayn wa Dubai' (The 1938 Reform Movement in Kuwait, Bahrain and Dubai), *Dirasat al-Khalij wa al-Jazeera al-Arabiya* 1/ 4 (October 1975), pp. 29–68 at pp. 43–4. Mahdi al-Tajir, *Bahrain, 1920–1945: Britain, the Shaikh, and the Administration* (London: Croom Helm, 1987), p. 239.

[27] Davidson, *Dubai*, pp. 32–7.

[28] Herb, *Wages of Oil*, pp. 78–9.

[29] Michael Herb, *All in the Family: Absolutism, Revolution, and Democracy in the Middle Eastern Monarchies* (Albany: State University of New York Press, 1999).

[30] Ahmad al-Khatib, *Al-Duktur Ahmad al-Khatib yatadhakkir: al-Kuwayt min al-Imara ila al-Dawla*

The end result of the Legislative Council, then, was not a broad-based regime coalition. Instead it ended with a takeover of the state by the ruling family, to the exclusion of the merchants (the ruling family, by virtue of its monopoly of positions, even held the British at arm's length). In short, 1939 did not set the foundation for later Kuwaiti exceptionalism. Instead, it reinforced an al-Sabah absolutism which endured for the next two decades.

In the 1940s and 1950s there were occasional elections, and representative bodies of various sorts, but none came close to really constraining the power of the new family regime that ruled Kuwait. There was, to be sure, pressure from below. The merchants, joined now by Arab nationalists, demanded greater participation, and kept alive the memory of the 1938 *majlis*, as well as the older history of merchant participation in Kuwaiti politics. But these were demands only: rulers could and usually did ignore them. There were similar demands in other Gulf sheikhdoms, including Dubai and even, a little later, Qatar, and of course Bahrain. This pressure from below did not much distinguish Kuwait from its neighbours. Nor did the form of Kuwait's regime make it more liberal than that of its neighbours: if anything it was more autocratic, because more dominated by the family.

The Iraqi Threat

Kuwait declared its independence on 19 June 1961. Within a week, Iraqi Prime Minister Abd al-Karim Qasim laid claim to Kuwait for Iraq. At the United Nations the Soviet Union blocked Kuwait's admission as a member state, thus throwing into doubt Kuwait's claim to status as a sovereign state. On 26 August of that year, the Emir started preparations for elections to a constitutional convention. By the end of 1961 elections to the convention were held, and in January 1962 it met. The constitution was issued by the end of that year, and in January 1963 the first elections to the National Assembly were held. Qasim died shortly thereafter, and Kuwait subsequently won admittance to the UN as a full member.

It is not, at first glance, immediately apparent why the Kuwaiti ruling family would respond to the Iraqi threat by writing a liberal constitution. In other contexts, threats from abroad produce a 'rally round the flag' effect which lessens the pressure on autocratic regimes to liberalise. Yet Kuwait's circumstances differ from those more typically found elsewhere.

First, Kuwait's claim to sovereignty was suspect. It is a small country today, and was smaller still at independence. Its enemies claimed that it was not much more than a family with a patch of oil-rich land, dependent on the British, put in power for British convenience. A national parliament made Kuwait look much more like a nation, in a context in which its nationhood was not taken for granted.

Second, Kuwait lacked the ability to defend itself against its enemies, and in particular Iraq. It relied on foreign support, notably from Britain and Egypt. While both of these powers had their own reasons to support Kuwait regardless of its regime type (Egypt's Gamal Abdel Nasser was in competition with the new republican leadership of Iraq), it was easier for these leaders to defend Kuwait and its ruling family if the ruling family could demonstrate support from the Kuwaiti citizenry. In the context of the early 1960s, monarchical regimes

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(Memoirs of Dr Ahmad al-Khatib: Kuwait: From Emirate to State), Ghanim al-Najjar (ed) (Casablanca: al-Markaz al-Thaqafi al-Arabi, 2007), p. 259.

looked reactionary from the point of view of Arab nationalists, but a good bit less reactionary with an elected parliament.

The actions of the Emir and the Kuwaiti government from 1961 to 1963 suggest that they were thinking along these lines. The Emir sent a delegation of Kuwaitis around Arab capitals in July 1961.[31] It included a member of the ruling family, along with prominent members of merchant families and two others with Arab nationalist sympathies. Accounts of the delegation's visit to Cairo to meet with Nasser follow on from the logic set out above: the merchant members of the delegation did the talking, and sought to convince Nasser that the ruling family had wide support among Kuwaitis. On its return the delegation wrote up a report in which its members discussed Kuwait's image abroad, and argued that,

> by creating the possibility for this participation [by Kuwaitis in governance] we take away a weapon that is often used against us, and which no doubt will be exploited more broadly if we do not take the initiative to create an appropriate system.[32]

We can also find evidence supporting this logic in the commentaries by Kuwaitis on the constitution writing process: almost all scholars attribute at least some causal weight to the threat from Iraq when explaining the decision of the Emir and the ruling family to set up a national assembly.[33] Overall, the timing of events suggests very strongly that the Iraqi threat had a decisive impact on the writing of the 1962 constitution.

The writing of the constitution also overlapped with Kuwaiti independence, and independence is a common time to write a constitution. Yet there were few discussions of a constitution in the period leading up to independence in 1961, and Oman, Qatar and the UAE did not find it necessary to put a constitution in place after achieving independence in 1971 (though Bahrain did). When compared with the other Gulf states, it is not independence that differentiates Kuwait from its neighbours, but instead the Iraqi threat.

The other Gulf states did not experience the same sort of external threat. Iran and the UAE dispute three islands that lie in the Gulf between them, and Iran currently occupies the islands. Yet Iran's territorial claims do not extend to the UAE mainland. Moreover, while Kuwait and Iraq share a land border, Iran lies across the Gulf from the UAE. While Iraq could drive its tanks straight to Kuwait City, an Iranian invasion of the UAE would require the transportation, and provisioning, of its forces across the waters of the Persian Gulf, probably in the face of vigorous opposition from the UAE, Saudi Arabia and the United States.

Iran has in the past made an irredentist claim to Bahrain, and Bahrain was under Persian suzerainty for a period in the seventeenth century. The Shah dropped this claim in 1970, just before Bahraini independence in 1971, though Iranian political figures occasionally make statements that make clear that Iran's historical claim is not entirely forgotten.[34] Dis-

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31 On this episode see Herb, *Wages of Oil*, pp. 92–4.

32 Ali Abd al-Latif Khalifa, *ʿUqdat al-Ḍam wa Azmat Qasim ʿam 1961* (The Problem of Annexation and the Crisis of Qasim in 1961) (n.p.: n.p. (book can be found in Kuwait University library), c.2002), pp. 264–5.

33 Alshayeji, 'Democratization in Kuwait'; Ghabra, *Al-Muʾassasat wa al-Tanmiya*.

34 Husain al-Baharna, 'The Fact-Finding Mission of the United Nations Secretary-General and the

cussions of Bahrain's short-lived 1973 parliament sometimes make mention of the Iranian claim to Bahrain, in a parallel with the Iraqi claim to Kuwait. Yet the al-Khalifa shut down Bahrain's parliament in 1975, and did not open another until following the 2002 elections – and only after altering the constitution to deprive elected deputies of much of the influence they enjoyed under the 1973 constitution. Today any perceived threat to Bahrain from Iran tends to make the ruling family less likely to offer political participation, not more so. This has everything to do with Bahrain's sectarian composition, in which the Shiʿa are a majority, but quite thoroughly excluded from political power.[35] Moves towards democratisation in Bahrain would empower the Shiʿa majority, which the ruling family, having established a rigidly sectarian political structure built on Sunni predominance, would wish to avoid. Threats from Iran thus contribute to the ruling family's discourse of Sunni sectarian fear, which it uses to mobilise support from its own Sunni population and from neighbouring powers, first and foremost Saudi Arabia.

Abdullah Salim

The decision to open a national assembly did not dictate the specific form of the Kuwaiti constitution. It was clear that at a minimum there would be elections, and that the National Assembly would have some authority. But international pressure did not determine the finer details of constitutional provisions. The constitution itself was written by a committee of the constitutional convention that consisted of five members: the son of Emir Abdullah Salim and four members of the merchant elite. A key provision of the constitution gives the elected members of the National Assembly (alone, and not the members who were appointed and sat in the National Assembly by virtue of holding cabinet posts) the right to remove confidence in ministers. The committee adopted this provision, but Sheikh Saad (the Emir's son) shortly thereafter attempted to convince the committee to change the requirement to a two-thirds vote.

The effect of this change on the powers of the National Assembly would have been serious. Today it matters a great deal that the National Assembly needs only a majority vote of elected members to remove confidence in ministers. Raising the bar to a two-thirds majority would have significantly weakened the ability of the National Assembly – and, by extension, Kuwait's citizenry – to constrain the authority of the government, and the ruling family. When the constitution was being drafted, a member of the committee went directly to the Emir to resolve the issue of the number of votes needed to remove confidence in a minister. The Emir sided against his son, and with the more liberal position of the committee majority. Later, when the issue came up before the entire constitutional convention, a liberal member of the committee referred directly to the wishes of the Emir in arguing for language that gave the right to remove confidence to a majority of the elected deputies. And that is the result that stood.[36]

Settlement of the Bahrain–Iran Dispute, May 1970', *International and Comparative Law Quarterly* 22/3 (1 July 1973), pp. 541–52.

[35] Justin Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf: Rethinking the Rentier State* (Bloomington: Indiana University Press, 2015), p. 96.

[36] Herb, *Wages of Oil*, pp. 97–9.

After Independence

If the Iraqi threat was the key causal factor that impelled the Kuwaiti ruling family to put in place a liberal constitution in 1962, then we would expect that the end of that threat would have led to a retrenchment in Kuwait, and perhaps to the ruling family turning against the 1962 constitution altogether.

We find some evidence of this, though the ruling family's attitude towards the National Assembly is best characterised as ambivalent, rather than unrelentingly hostile. Kuwaiti politics, since 1962, have been characterised by a pattern of political openings and closings. In 1963 Abd al-Karim Qasim was overthrown in Iraq, and the new Iraqi regime dropped its objection, for the moment at least, to Kuwait's independence, including its membership in the UN. In 1965, Abdullah Salim died. It did not take long for the al-Sabah sheikhs to turn against the constitution. In 1967, Kuwait's ministry of the interior stole the elections in at least one district, with the result that the opposition was largely excluded from the National Assembly. This probably would not have happened had Abdullah Salim been in power, or if the Iraqi threat had been as pressing as it was before Qasim's death.

In contrast to the 1967 elections, those of 1971 were reasonably fair. But in 1976 the ruling family shut down the National Assembly again, only to reopen it in 1981 – albeit with the hope that the newly elected deputies would amend the constitution in a way that would sharply limit the Assembly's powers. That did not happen, to the disappointment of the ruling family.

In the 1985 elections the opposition, for the first time in Kuwaiti history, won a majority of the seats in the parliament. The opposition forced from office one member of a family closely related to the al-Sabah, and set about the process of interpellating (or grilling) several other ministers. The ruling family responded by closing down the National Assembly. This time, however, the ruling family did not reopen it. Instead, the Emir issued a decree setting up a different institution, the National Council (*Majlis al-Watani*), with sharply limited powers. Elections were held for this neutered parliament in spring 1990, just before the Iraqi invasion.

In summary, Kuwait's ruling family tolerated the National Assembly on and off for almost a quarter of a century after it was put in place. But by the start of the 1990s, the ruling family had turned its back on the liberalism of the 1962 constitution and had reverted to a parliament that was much more in line with the toothless bodies found elsewhere in the Gulf, then and today.

The Iraqi occupation, of course, made it impossible for the ruling family to continue on this course. As in the early 1960s, the ruling family needed to demonstrate to the world its support among the citizens of Kuwait, and the best way to do this was through a representative assembly of some sort. Kuwait's political class, including a broad section of opposition leaders, made their demands clear at a meeting in Jeddah, Saudi Arabia, during the occupation: in return for their support for the ruling family, they wanted a promise from the senior sheikhs to reopen the National Assembly under the 1962 constitution. This, of course, also matched the needs of the first Bush administration, whose rhetoric justifying the war included talk of democracy in the Gulf. Promises of a reinvigorated National Assembly responded, in some measure, to these demands, and thus helped to preserve not only the regime, but the state itself.

The unilateral change in the constitution in 1990, followed by the restoration of the constitution after liberation, suggests that the leading sheikhs of the al-Sabah sought to move Kuwait's political system in a more absolutist direction, in line with the political systems found in the rest of the Arab monarchies of the Gulf. What prevented this was the Iraqi invasion, and subsequent pressure from Kuwait's rescuers. The reasonable conclusion to be drawn from this is that Kuwaiti exceptionalism today, which is a product of the persistence of the 1962 constitution, owes a great deal to the Iraqi threat. This was the case with both the birth of the constitution in 1962 and its restoration after liberation in 1991.

After Liberation

In the years since liberation from Iraqi occupation, the National Assembly has not been suspended (at least not in a way that violates the constitution), elections have been held regularly, and the ruling family has largely respected the word, if not always the spirit, of the constitution.

The possibility of closing the parliament and rewriting the 1962 constitution has been a point of discussion at various times in Kuwait over the past two decades.[37] But consistently the senior leadership of the ruling family, while sometimes considering unconstitutionally shutting down the National Assembly, has avoided actually doing so. The Emir's 2012 decree unilaterally changing the electoral system sparked a boycott of the elections, and was arguably undemocratic, but nonetheless was done within the confines of the 1962 constitution. The Emir claimed that his decision was constitutional, but also admitted the authority of the Constitutional Court to make the final decision (a decision that was in the Emir's favour).

In the mid-1990s we can attribute the survival of the National Assembly and the 1962 constitution directly to foreign pressure and to the immediate legacy of the Iraqi invasion. In subsequent years, however, the pressure from Iraq receded, especially following the demise of Saddam's regime in 2003. This did not, by any means, end the Iraqi threat entirely, and in political rhetoric in Kuwait it is often argued that the Iraqi invasion of 1990 was made more likely by the fact that the ruling family had shut down the National Assembly, giving Saddam the false impression that the Kuwaiti opposition would favour an Iraqi invasion.

Nonetheless, there are factors beyond the Iraqi threat that help to explain the persistence of the National Assembly through the two decades since liberation. One obvious such factor is Kuwait's political culture. Yet Kuwaiti political culture did not save the National Assembly from being closed down in 1976 or 1986, or from being replaced by the toothless National Council in 1990. The timing of these events suggests that if Kuwaiti political culture matters, it matters more after the mid-1990s than it did previously.

The survival of the National Assembly in recent years probably has little to do with Kuwait's merchant class. While merchants were behind the 1938 Legislative Council, and made up most of the committee that wrote the 1962 constitution, in the National Assembly itself the merchant class has very much taken a back seat to the demographically larger Kuwaiti middle class. This middle class derives its income from state jobs and has limited sympathy for the needs and ambitions of Kuwait's private sector, the traditional heart of which is the

[37] Ibid., p. 206.

merchant class. As a consequence, recent years have seen a notable souring of the merchant elite, and the private sector generally, on the National Assembly. If it today relied on the support of the merchant class to survive, it is not at all clear that the National Assembly would still be open.[38]

Institutions, once in place, often create their own constituencies, and the National Assembly is no different: the survival of the National Assembly owes something to path dependence.[39] A passage from Ismail al-Shatti captures the path-dependent argument:

> Kuwait is a treasure that still makes the mouths of the greedy water, and it cannot be protected except by mutual understandings both internally and externally. The rulers chose democracy to guarantee their understanding internally, but after they were able to solidify their external relations, they did not hesitate to retreat from democracy, but the elite had become broader, and the culture had spread to the masses, and retreat from democracy in Kuwait became costly.[40]

The Kuwaiti political elite, beyond the ruling family, is largely a product of parliamentary politics. This extends even to the opposition that has boycotted the recent elections. Figures such as Musallam al-Barrak gained the prominence that they currently enjoy in opposition politics by virtue of winning elections in the past (al-Barrak, before the boycott, would regularly win more votes than any other Kuwaiti politician in parliamentary elections).[41] The result is a political class that owes its position and its status to parliamentary elections, creating a constituency in Kuwaiti politics for the National Assembly.

In addition to this, the National Assembly has become a core element in Kuwaiti national identity, especially when Kuwaitis compare their country to the other Gulf monarchies. In the past, Kuwait was a leader in the Gulf in many fields. Today, it is mostly a leader in political participation and political freedoms, and this is a point of pride for many – though not all – Kuwaitis.

Conclusions

We started with six explanations for Kuwaiti exceptionalism: the merchant class, the social contract underpinning the regime, the origins of the ruling families, the Iraqi threat, Abdullah Salim and Kuwaiti political culture. Each argument generates expectations of patterns and events that we should find in Kuwaiti history, and patterns that we should find when comparing Kuwait to other Gulf monarchies. If the constitutional constraints on the

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38 Herb, *Wages of Oil*.

39 James Mahoney, 'Path Dependence in Historical Sociology', *Theory and Society* 29/4 (1 August 2000), pp. 507–48. Paul Pierson, 'Increasing Returns, Path Dependence, and the Study of Politics', *American Political Science Review* 94/2 (1 June 2000), pp. 251–67.

40 Ismail al-Shatti, 'Al-Kuwayt wa Tajribat al-Intiqal ila al-Dimuqratiyya' (Kuwait and the Experience of Transition to Democracy), *Al-Mustaqbal al-ʿArabi* 289 (2003), pp. 115–39 at p. 139.

41 Michael Herb, *Kuwait Politics Databas*e. Available at http://www2.gsu.edu/~polmfh/database/voterank17.htm (accessed 16 October 2015).

al-Sabah today can be traced directly back to the consensual process by which the family came to power, we should expect to find that the other, more authoritarian, ruling families came to power in a less consensual manner. This is not at all clear when comparing Kuwait to, for example, Qatar, Abu Dhabi or Dubai. Nor is it at all clear how events at the founding would have had a causal impact over the past 250 or so years. Kuwait has experienced periods of monarchical absolutism, during the reign of Mubarak in the early part of the twentieth century and then after the closing of the Legislative Council in 1939. The initial election of the al-Sabah did not prevent these absolutist spells, nor does it do a particularly good job of explaining how these periods came to an end.

There are similar issues of timing, and of cross-emirate comparison, with the argument about Kuwait's merchant class. The three sheikhdoms with the largest merchant classes in the pre-oil period were Kuwait, Bahrain and Dubai. Only Kuwait today has a powerful national assembly. Moreover, in Kuwait the merchants appear to have been in political decline from early in the twentieth century, when Mubarak the Great imposed a taxation regime on the merchants and no longer relied on their voluntary contributions to fund the state. There is no particular reason to think that merchant power was unusually strong in the early 1960s when the constitution was written: the merchant class had suffered a serious defeat in 1939, with the closing of their Legislative Council. Since 1963 the merchant class has experienced a further decline in its political power, as it has been pushed to the side by Kuwait's ascendant middle class of state employees. As the merchants have declined, the National Assembly has become more deeply rooted.

So too there are timing problems with the argument that Kuwaiti exceptionalism is a product of the coalition created when the regime was formed in the late 1930s. The coalition that in fact was formed excluded, rather than included, the merchants, who were at the time the main group that sought to constrain the ruler. Instead, the regime that was formed in the late 1930s was a dynastic monarchy, one in which the basis of regime support was the ruling family. This sort of regime emerged later elsewhere in the Gulf, and it is a regime type that is both very durable, and typically absolutist.

Kuwait today has a political culture that sees the National Assembly as something that distinguishes the country from the rest of the Gulf, and is often a point of pride. Going back in history, it is clear that there have been demands from Kuwaiti citizens for greater political participation. These demands were made by members of the merchant class in the first half of the twentieth century, and were joined in by Arab nationalists and others later on. This sort of pressure from below is, however, not unique to Kuwait. Today, of course, Kuwait really is distinguished by its greater degree of freedom and political participation, especially by the middle class. But that is arguably a product of a half-century under the 1962 constitution, rather than an explanation for the constitution in the first place. That said, after half a century, the National Assembly has set deep roots in Kuwaiti political culture.

This leaves two remaining explanations. The Iraqi threat is closely correlated with two crucial events in the history of Kuwait's National Assembly. The 1962 constitution was written shortly after the threat from Iraq at Kuwaiti independence. There are many indications that in fact the Iraqi threat was a key causal factor leading to the writing of the constitution, and to its liberal nature. When the ruling family, in 1990, replaced the National Assembly with the National Council, which had few powers, it appeared that the al-Sabah had reverted to

Gulf ruling family norms of absolutism. There is no doubt that the Iraqi invasion of 1990, and the subsequent liberation, directly caused the restoration of the 1962 constitution. Thus there is a compelling argument to be made that Kuwaiti exceptionalism owes a great deal to the threat from Iraq both in its conception and in its revival in the 1990s.

The degree of power enjoyed by the National Assembly under the 1962 constitution also owes something to the political inclinations of the emir at the time, Abdullah Salim. He ruled from 1950, but did not liberalise in any serious way until after independence in 1961. But he did step in, during the process of writing the constitution, and ensured that the National Assembly had several key powers, including the ability to withdraw confidence in ministers via a majority vote of the elected members of the body. A less liberal emir might have done this too, in order to secure support for the ruling family from citizens in the wake of the Iraqi threat. But it is also reasonable to suppose that, in such a counterfactual world, a less liberal might have attempted more effectively to limit the authority of the parliament.

Finally, none of this is to say that efforts by Kuwaiti citizens to demand political participation, especially in the late 1950s, had no causal impact on the eventual writing of the 1962 constitution, or its persistence since then. Indeed, it is likely that these demands were a necessary cause of Kuwaiti exceptionalism. But it is also a factor that has been fairly common in Gulf monarchies that are much less liberal than Kuwait. There have been widespread demands for greater political participation in all of the Gulf monarchies, at one point or another. These demands, however, have not, on their own, led to real reform: while necessary, demands from below are not a sufficient cause of liberalisation in the Gulf monarchies. Demands from below in Kuwait led to the 1962 constitution when they were combined with a threat from abroad.

Lessons

The past several years have seen a partial reversal of the gains made by the National Assembly in the years leading up to 2012. The Emir unilaterally changed the electoral system in the autumn of 2012, and the opposition responded with a boycott of the December 2012 and July 2013 elections. In the spring of 2014, much of the remaining opposition resigned, leaving an Assembly with essentially no representatives of established Kuwaiti opposition forces. The government has also cracked down on political freedoms, and especially social media. Twitter users have gone to jail for their tweets, especially those directed at the Emir. The government has even stripped several opposition members of their citizenship, in an effort to repress dissent.

These steps have tarnished Kuwait's reputation as an island of relative freedom in an authoritarian part of the world. That Kuwait's neighbours have backtracked even more does not lessen the negative consequences for the country: citizenship should not be used as a tool to suppress dissent, and citizens should have the right to criticise their rulers. That said, these reversals have left Kuwait's core institutions more or less intact. In past reversals the ruling family has unconstitutionally shut down the National Assembly. That has not happened this time. Instead, the ruling family has manoeuvred the opposition into a boycott. The opposition, at least so far, retains the option of returning to the National

Assembly, and the Assembly retains its constitutional powers to constrain the ruling family and the government. The Kuwaiti political system still has the potential to give its citizens a voice in how they are governed. If a majority (in practice, a large majority) of Kuwaiti citizens want the National Assembly to assume a larger role in governance, and in particular in forming the cabinet, there are likely to be paths to that end within the current political institutions of the 1962 constitution. This is a distinction enjoyed only by Kuwait among the Gulf monarchies, and it is an important one.

What sort of lessons does Kuwait's experience have for the other Gulf monarchies? To start with, there are several key lessons to be drawn directly from Kuwait's specific path to a liberal constitution.

First, the ruling family liberalised only under serious pressure. In Kuwait's case, this pressure came from outside, and threatened the survival of the state itself. At least to this point, domestic pressure alone has not been sufficient to force any of the dynastic monarchies of the Gulf to expand political participation permanently, though some smaller steps have been taken in response. These remain remarkably durable regimes that have a strong lock on state power.

Second, liberalisation did not occur as a result of an internal weakness within the regime. In other sorts of authoritarian regimes this is a common contributing cause of political openings and democratisation. Even in monarchies of other sorts – that is, monarchies in which the monarch is not surrounded by members of his family who monopolise state posts – the ageing of the monarch can cause uncertainty, splits in the regime and ultimately regime change. That is much less likely in the dynastic monarchies of the Gulf, and is not a reason that Kuwait liberalised in the early 1960s or the early 1990s. Oman, however, is not a dynastic monarchy: the Sultan has kept his family at arm's length (by Gulf standards at least) and the succession in Oman could lead to a political opening – or, at the least, is much more likely to lead to a political opening than would the death of the ruler in any of the more established dynastic monarchies.

Third, even in the dynastic monarchies of the Gulf, the political inclinations of the ruler can have some impact on political outcomes. Abdullah Salim, by most accounts, was a liberal. That did not mean that he could give Kuwait a liberal constitution when he came to power in 1950. But when the Iraqi threat weakened opposition within his family, his liberal inclinations helped put in place a constitution with a more powerful national assembly than might otherwise have been the case.

Fourth, path dependence matters. Kuwait has had a national assembly, albeit on and off, for over half a century. That has led to changes in Kuwaiti society and politics which have given the institution deep roots. It is harder for a ruling family to take back freedoms that its people have grown accustomed to than it is to decline to grant freedoms in the first place.

We can conclude from this that the events that led to liberalisation in Kuwait are unlikely to occur in any of the other Gulf monarchies any time soon. None of the Gulf states face an imminent threat from abroad (of the same sort as that faced by Kuwait from Iraq); the threat from Iran (or ISIS) is not as serious as sometimes thought. Even if there were such a threat, the response of the ruling families might well be to repress, rather than liberalise, for reasons related to the specific nature of the outside threat and of politics within the

borders of the threatened state. Thus, for example, any Iranian threat to Bahrain is more likely to generate repression than liberalisation, given Bahrain's sectarian composition.

Other factors also make liberalisation less likely. Figures like Abdullah Salim are not common in the Gulf monarchies. Perhaps one could emerge after the succession in Oman, but elsewhere the ruling families generally discourage any signs of liberalism among their kings and emirs – and this is why Abdullah Salim achieved little by way of expanding political participation in Kuwait before the Iraqi threat of 1961. And it is entirely possible that a ruler who finds himself in a situation in which reform is a viable possibility might instead be inclined towards repression, and let the opportunity pass. Some evidence suggests that this happened in Bahrain in 2011, when the crown prince held out for reform but was overruled by others in his family (including his father, the King).

Path dependence has made Kuwait's National Assembly more durable, but elsewhere in the Gulf it has made any expansion of political participation less likely rather than more so: path dependence can cut both ways. In the UAE the creation of a vibrant, thriving non-oil economy staffed by, and catering to, foreigners has reduced the citizen share of the population to just above 10 per cent, and falling. A Kuwait-style national assembly would represent only this small minority of the population, and the economic interests of citizens, to judge from the politics of Kuwait's National Assembly, are not easily reconcilable with those of the foreigners dependent on the non-oil economy. Time, in this case, works against citizen political participation: the UAE (and, it appears, Qatar) are on a development path in which citizens are becoming an ever smaller minority, ever more marginal to the growing non-oil economy. That said, this dynamic is not at work in Saudi Arabia and Oman, where citizens remain a majority and where the need to find private sector jobs for citizens makes unlikely a duplication of Dubai-style economic development driven almost entirely by immigrant non-citizen labour.

Finally, one additional factor makes it less likely that the Kuwaiti model will be followed elsewhere in the Gulf. There is little agreement, even amongst Kuwaitis, that its National Assembly has produced positive results in areas beyond political freedom. There is a widespread perception that Kuwait's state institutions suffer from inefficiency and waste when compared to those in Dubai, Qatar and even Abu Dhabi. The Kuwait political system suffers from frequent paralysis as a parliament with no responsibility to govern blocks the unelected cabinet from effectively governing. Kuwait has also lagged behind the rest of the Gulf, and especially Qatar and the UAE, in non-oil economic growth. This creates the perception in the rest of the Gulf that greater political participation discourages economic development.

Given all these factors weighing against the adoption of a Kuwaiti-style constitution elsewhere in the Gulf, is there any reason to think that the Kuwaiti model might have some relevance for the other Gulf monarchies? In fact, there is, and it is a factor likely to be crucial in the future political development of some Gulf monarchies. In short, there are few good alternatives to the Kuwaiti model should the ruling families find themselves in a difficult situation, under pressure from abroad or at home. While a serious challenge to any of the ruling families is not imminent, it is unwise to suppose that the status quo is permanent only because it has been durable thus far: at some point Saudi citizens or Omani citizens will demand change. What they get might be simple repression, but it could also be concessions. The Kuwaiti model provides the only path available to the Gulf ruling families

of making serious political concessions while at the same time retaining power. Offering national-level elections to a parliament with real powers might well be enough to overcome a serious challenge (say, coaxing protesters from the streets) while preserving the basic contours of the regime. Concessions could take the form of elections to a parliament in Saudi Arabia, or an expansion of the powers of the existing parliament in Oman. That would make these countries' political institutions look more like those of Kuwait.

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Middle East Centre
London School of Economics and Political Science
Houghton Street, London WC2A 2AE

@LSEKuwait

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